

UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA

ORIGINAL
FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA
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OFFICE OF THE CLERK

UNITED STATES OF AMERICA,)
Respondant,)
v.) Case No. 8:09-CR-3
ANTONIO FRAUSTO,)
Petitioner.) Honorable Joseph F. Bataillon

MOTION FOR LEAVE TO FILE AND PROCEED
ON APPEAL IN FORMA PAUPERIS

The Petitioner, Antonio Frausto, pro se, petitions the Court pursuant to 28 U.S.C. §1915 for leave to file and proceed on appeal in forma pauperis. Petitioner brings this appeal in good faith and believes his claims have merit. See Financial Affidavit in support hereof attached hereto.

I will raise the following issues on appeal: (1) my guilty plea was not knowingly and voluntarily entered (2) trial counsel was ineffective for failing to obtain spectrographic voice analysis (3) my appellate counsel was ineffective on direct appeal, and (4) I do not qualify for a leadership role in the offense.

WHEREFORE, I request the Court grant leave to file and proceed on appeal in forma pauperis.

Respectfully submitted

Antonio Frausto

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